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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,147	09/18/2000	Nathan F. Raciborski	193696-000500US	6650

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EXAMINER

PARTON, KEVIN S

ART UNIT	PAPER NUMBER
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2153

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DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/664,147

Applicant(s)

RACIBORSKI ET AL.

Examiner

Kevin Parton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 and 22-24 is/are allowed.
- 6) ☒ Claim(s) 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments regarding claim 21 filed 05/03/2004 have been fully considered but they are not persuasive. Please see the following reasons and the grounds of rejection below.
2. Regarding claim 21, the applicant argues that the reference to Kangasharju et al. (1999) does not teach sending of catalogs. Further, they state the reference does not teach the storage of content object portions. First, the batch message sent by caches to location servers in Kangasharju et al. (1999) is the same as the sending of a catalog for updating. Nothing stated in the claim differentiates the catalog from the data sent in the reference. Also, Kangasharju et al. (1999) teaches the storage of content object portions in that one web site may have several different portions that can be stored in different caches.

### ***Allowable Subject Matter***

3. Claims 1-20 and 22-24 allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: None of the prior art of record teaches a system wherein a catalog of the data stored in a content exchange is returned only to the origin server from which the data was retrieved. Independent claims 1, 8, and 15 have all been amended to clearly state that the server from which the content object portions are retrieved is the same server to which the catalog information is sent. Prior art such as the reference to Kangasharju et al. (1999) teach means wherein

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catalog data is sent to a single central server regardless of where the information was obtained. No information is sent back to the origin server in the prior art.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Kangasharju et al. (1999).

7. Regarding claim 21, Kangasharju et al. (1999) teach a system for cataloging content object portions dispersed across a plurality of content exchanges comprising:

- a. A first content exchange comprising a first content object portion, wherein the first content object portion comprises a first subset of a content object (abstract, lines 1-3, page 2, column 2, paragraph 3).
- b. A second content exchange comprising a second content object portion, wherein the second content object portion comprises a second subset of the content object (abstract, lines 1-3, page 2, column 2, paragraph 3).
- c. A remote server, wherein the remote server is communicably coupled to a first datalink and a second datalink, wherein the

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first datalink transports a first catalog indicating the first content object portion, and wherein the second datalink transports a second catalog indicating the second content object portion (page 5, column 2, paragraph 4; page 6, column 1, paragraph 1).

- d. Wherein the content object is either a content file or a content stream (abstract, lines 1-3; page 2, column 2, paragraph 3; page 5, column 2, paragraph 4; page 6, column 1, paragraph 1). Please note that content files are cached in different locations to form content objects.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The examiner can normally be reached on M-F 8:00AM - 4:30PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Parton  
Examiner  
Art Unit 2153

ksp



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